

Writ petition: 958-2013
'Youtube Case'

Date: 26, July 2013

Submitted to: Justice Mansoor Ali Shah

Honourable Sir,

I write these lines as an informed, common Pakistani who is deeply pained to see the demise of knowledge and reasoned decisions. I am encouraged to write this at this juncture, as I see a degree of rationality and courage in the hearings that are taking place on the so called "YouTube case".

I, Salman Ansari, 63 years of age, have over four decades of working professionally in the fields of IT, Telecommunications, Security, IT security, Policy making, Societal development using technologies (e-education, e-health, e-commerce, e-learning), using modern technologies to design Intelligent Buildings, etc..

I have worked pro bono for the government many times in helping set up laws and Policies and have led teams that have put together Pakistan's only Electronic Policy (1988), IT Policy (2000) Telecom deregulation Policy (2002/3) and the Electronic Transactions Ordinance. I was asked by Dr. Atta ur Rahman to become the Advisor to the Minister of IT (2000-03) and assist him in the development of IT and Telecoms in Pakistan as well as help in its application to evolve Education, Health, Literacy, etc.

I have set up and run several Telecom and IT companies (Supernet, Paktel, etc) and assisted in setting up others. Have been on the cutting edge of technology and innovation. I teach professionals modern technologies. Am aware of the technologies involved as well as the economic and societal implications of the wrong use of these.

But most of all, I am increasingly very concerned by the improper decision making and systematic destruction of institutions that has taken place in the last few years. One of this, is the lack of knowledge of the people in the decision making process of the far reaching dynamics of their ill-considered and emotional decisions, based mostly on fear, laziness, hubris and dreams of 'popularity', rather than the love of Allah or its people.

In this submission, I will only address the "YouTube ban".

Background:

There have been many attempts to block websites, blogs, information by different Governments in the name of protecting the people against pornography, anti-state elements,

sites which promote blasphemy, etc. Most were driven by the same factors I have given earlier.

In the case of the YouTube ban and attempts and attempts to block it, we are managing only to damage ourselves. People are routinely using Proxies to by pass the blocking and go to YouTube. The continued banning of ' the Video' stems not from a higher purpose but from two motivations: fear of the radical and irrational forces and to hide many videos that are uploaded for Public Awareness of the shenanigans of any Government in Power. We are unfortunately, only providing oxygen to a dead issue.

We are spitting in the wind.

At YouTube, more than 100 million videos are viewed each day, tens of millions of unique visitors visit the site, 48 hours of videos are up loaded every minute, hundreds of millions of videos on site, 3 Billion views per day!

Not all are 'blasphemous' or just entertainment.

Like all tools this can be used for good and bad reasons. It is up to the user to utilize this. A huge number of applications revolve around training, education, customer services, distance learning (Khan Academy is an example), technology transfer, product information, digital learning, sharing of scientific and engineering ideas. A routine search of the internet will give you all the answers.

Many free videos from top Universities are now on YouTube so that these can be shared. Most of the content for e-learning is now being hosted on the same platform. Pakistani companies are basing their educational e-delivery on this platform and are stuck since many months.

It enables innovations and inventions to be shared and used.

Real-time events which trump the TV broadcasters (Arab Spring, Libya, Syria, Egypt recently). Exposing the misdeeds of the people and Governments actions caught and displayed immediately gives tremendous emancipation to the ordinary person to get a voice. One does not need to be aligned with some powerful person or TV channel.

Pakistanis are now severely handicapped due to this blockage of YouTube. Professionally, we use this for a lot of our work as do many others around the world. Main purposes are Education and Training as well as sharing resources Internationally for finding solutions. Most of the equipment operations videos are on YouTube and the dependency now has become huge.

Pakistan is already infamous in its silly attempts to block sites and in trying to block Youtube in 2008, the PTCL managed to bring down the global network which took many hours to repair. No wonder we are looked upon as selfish, narrow minded and foolish terrorists even in technology.

The Video in the controversy:

While the reaction was justified but the actions taken were incorrect. Pakistan approached this with a hammer and not the rationale. As a consequence we are in the company of Afghanistan and Iran who have YouTube blocked!

No other Muslim country has taken any further action. Google (owner of YouTube) suggested an option that was taken up by different countries (including Bangladesh), to put a disclaimer before the video is viewed where viewer discretion is advised and the viewer if he goes further, they are responsible for viewing this.

There are hundreds of sites which are also misleading and wrong. There are millions of pornographic sites. But we cannot keep on 'banning them'. We have to use the process defined in the 'Conditions of Use' of YouTube and use this to get materials removed or blocked. This is a more intelligent way of tackling this issue.

We also have to make our user populace grow up and take responsibility for their actions. There are ways to restrict some types of materials and it will be of huge Public service if the Media were to run programs on how to use the Internet – for children and adults. And how to make sure our children do not easily or accidentally visit wrong sites.

From a rational and technical standpoint this is the best way to do it. Not throwing the baby out with the bathwater.

While the YouTube ban has persisted, it gave way to the use of 'Proxy' websites that enable a 'tunnel' to be created for one to bypass the blocking. The use of Proxies has consequently grown tremendously in Pakistan. Efforts to block these are futile as these are also used for normal professional reasons.

This ban has generated considerable dark undertones. It wastes a huge amount of bandwidth resources and has created an opportunity for some Proxy sites to plant viruses and Trojans. I have personally cleaned out several PCs from these 'Trojan viruses' which are planted in the users' machines via some free Proxies. These can be used later by parties outside to launch the so-called DDoS (Distributed Denial of Service) on any one (China, USA, etc). When later these links are traced back, they will point to Pakistan and innocents will be hauled up and imprisoned by our authorities. And Pakistan will again be in the headlines – for all the wrong reasons.

The new Minister for IT has even threatened to block Google the world's biggest search engine. This is madness. Google like 30 others are merely search engines and content ^{NOT} creators. If this YouTube ban continues to stay, I am afraid that we will be pushed in to the dark ages completely.

Sincerely yours

Salman Ansari